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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/473,554	12/29/1999	KENNETH MCCLAMROCH	RSW9-99-119	1113

7590 05/10/2002

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EXAMINER

NGUYEN, CINDY

ART UNIT PAPER NUMBER

2171

DATE MAILED: 05/10/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application N .

09/473,554

Applicant(s)

MCCLAMROCH ET AL.

Examiner

Cindy Nguyen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 December 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 December 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This is in response to application filed on December 29, 1999 in which claims 1-17 are presented for examination.

#### ***Information Disclosure Statement***

The information disclosure statement filed on Feb 08, 2000; Feb 25, 2000; March 23, 2000 and March 20, 2000 are in compliance with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609. Because they have been placed in the application file, and the information referred to therein has been considered as to the merits.

#### ***Drawings***

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: In Fig 2, reference character "42" is not show in Fig 2. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

#### ***Abstract***

The abstract of the disclosure is objected to because there is more than one paragraph in the abstract. Correction is required. See MPEP § 608.01(b).

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(c) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 7, and 11-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Baer et al (U.S.6,366,916).

Regarding claim 1, Baer et al. discloses: “A computer-implemented method for indexing and locating assets stored on a storage device, comprising the steps of:” as indexing engines (see col. 3, lines 62-67, Baer et al.) “performing a crawl process on said storage device to identify stored assets” as define a unique identifier of the asset to be retrieved (see col. 6, lines 61-67, Baer et al.); “identifying asset-specific parameters related to said stored assets” as the text of the paragraphs, number of paragraphs and the number of pages (see col. 10, lines 46-51, Baer et al.); “analyzing said stored assets based on said identified asset-specific parameters” (see col. 13, lines 31-43, Baer et al.); “extracting textual and semantic information from said stored assets”

(see col. 15, lines 45-56, Baer et al.); “and storing and indexing said extracted textual and semantic information for retrieval” (see col. 15, lines 57-67, Baer et al.).

Regarding claim 2, most of the limitations of claim 2 have been noted in the reference of claim 1. Applicant’s attention is directed to the recitation of claim 1. In addition, Baer et al. discloses: “wherein said stored assets comprise assets of diverse types, and wherein said identifying step identifies the asset type of each stored asset” (see col. 16, 17-21, Baer et al.).

Regarding claim 7, Baer et al. discloses: “An indexing and locating system for indexing and locating assets stored on a storage device, comprising:” (see col. 3, lines 62-67, Baer et al.) “crawling means for reading the contents of said storage device to identify stored assets” (see col. 6, lines 61-67, Baer et al.); “analyzing means for identifying asset-specific parameters related to said stored assets, analyzing said stored assets based on said identified asset-specific parameters (see col. 13, lines 31-43, Baer et al.), “and extracting textual and semantic information from said stored assets based on said analysis” (see col. 15, lines 45-56, Baer et al.) ; “and storing and indexing means for storing and indexing said extracted textual and semantic information for retrieval” (see col. 15, lines 57-67, Baer et al.).

Regarding claim 11, most of the limitations of claim 11 have been noted in the reference of claim 7. Applicant’s attention is directed to the recitation of claim 7. In addition, Baer et al. discloses: “wherein said stored assets comprise assets of diverse types” (see col. 16, lines 17-21, Baer et al.), “and wherein said analyzing means comprises an analysis server connected between

Art Unit: 2171

said crawling means and said storing and indexing means” (see col. 4, lines 14-17, Baer et al.), “said analysis server including one or more asset-type specific servers, with at least one of said asset types having a corresponding asset-type specific analyzer” (see col. 5, lines 55-65, Baer et al.).

Regarding claim 12, most of the limitations of claim 12 have been noted in the reference of claim 11. Applicant’s attention is directed to the refutation of claim 11. In addition, Baer et al. discloses: “wherein a plurality of said asset types have a corresponding asset-type specific analyzer” (see col. 5, lines 55-65, Baer et al.).

Regarding claim 13, most of the limitations of claim 13 have been noted in the reference of claim 12. Applicant’s attention is directed to the refutation of claim 12. In addition, Baer et al. discloses: “wherein each of said asset types has a corresponding asset-type specific analyzer” (see col. 5, lines 55-65, Baer et al.).

Regarding claim 14, most of the limitations of claim 14 have been noted in the reference of claim 11. Applicant’s attention is directed to the refutation of claim 11. In addition, Baer et al. discloses: “wherein said asset-type specific analyzer extracts predefined semantic information specific to the asset type to which it corresponds” (see col. 5, lines 45-49, Baer et al.).

Regarding claim 15, most of the limitations of claim 15 have been noted in the reference of claim 11. Applicant’s attention is directed to the refutation of claim 11. In addition, Baer et al.

discloses: “wherein said stored assets comprise code assets and wherein said asset-specific parameters comprise languages in which each code asset is written” (see col. 5, lines 66 to col. 6, lines 14, Baer et al.).

Regarding claim 16, most of the limitations of claim 16 have been noted in the reference of claim 15. Applicant’s attention is directed to the refraction of claim 15. In addition, Baer et al. discloses: “wherein said analysis step is performed using language-specific analyzers corresponding to the languages of said code assets” (see col. 6, lines 7-14, Baer et al.).

Regarding claim 17, most of the limitations of claim 17 have been noted in the reference of claim 16. Applicant’s attention is directed to the refraction of claim 16. In addition, Baer et al. discloses: “wherein said language-specific analyzers analyze said stored assets based on predetermined parameters specific to the language to which they correspond” (see col. 6, lines 42-55, Baer et al.).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baer et al (U.S.6,366,916) in view of Rose et al (U.S.5,752,244).

Regarding claim 3, it is noted, however, Baer et al. did not specifically disclose the limitations of claim 3. On the other hand, Rose et al. discloses: “wherein said extracting step includes the extraction of semantic information specific to the asset type of each stored asset” (see col. 1, lines 65 to col. 2, lines 5, Rose et al.).

It would have been prima facie obvious to a person of ordinary skill in the art at the time of the invention to have modified the system of Baer et al. wherein the method provided a framework that generalizes many existing techniques and provides a configurable and/or extensible asset management system, which is reusable for different client applications and data types (see col. 2, lines 48-52, Baer et al.) would have implemented in the various types of multimedia assets such as image (scanned photographs or computer-generated images), video (created by videography equipment or computer animation), audio, text, program code, etc. media types can be checked into a computer system. Previously checked-in multimedia assets can be searched for on the computer system, and selected multimedia assets can be checked out of the computer system (see col. 1, lines 65 to col. 2, lines 5, Rose et al.)

Regarding claim 4, it is noted, however, Baer et al. did not specifically disclose the limitations of claim 4. On the other hand, Rose et al. discloses: “wherein said stored assets comprise code assets and wherein said asset-specific parameters comprise languages in which each code asset is written” (see col. 25, lines 34-47, Rose et al.).



Regarding claim 5, it is noted, however, Baer et al. did not specifically disclose the limitations of claim 5. On the other hand, Rose et al. discloses: “wherein said analysis step is performed using language-specific analyzers corresponding to the languages of said code assets” (see col. 19, lines 46-49, Rose et al.).

Regarding claim 6, it is noted, however, Baer et al. did not specifically disclose the limitations of claim 6. On the other hand, Rose et al. discloses: “wherein said language-specific analyzers analyze said stored assets based on predetermined parameters specific to the language to which they correspond” (see col. 2, lines 23-28, Rose et al.).

Regarding claim 8, it is noted, however, Baer et al. did not specifically disclose the limitations of claim 8. On the other hand, Rose et al. discloses: “locating means for locating stored assets by applying a search query to said semantic information stored in said storing and indexing means” (see col. 21, lines 44-49, Rose et al.).

Regarding claim 9, most of the limitations of claim 9 have been noted in the reference of claim 8. Applicant’s attention is directed to the refraction of claim 8. In addition, Baer et al. discloses: “wherein said locating means includes means for applying a search query to said textual information stored in said storing and indexing means” (see col. 4, lines 47-67, Baer et al.).

Regarding claim 10, most of the limitations of claim 10 have been noted in the reference of claim 9. Applicant’s attention is directed to the refraction of claim 9. In addition, Baer et al. discloses: “wherein said locating means includes means for applying a search query to both said semantic information and said textual information simultaneously” (see col. 4, lines 47-67, Baer et al.).

### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the

Art Unit: 2171

organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Cindy Nguyen  
May 3, 2002

CN

*Frantz Coby*  
**FRANTZ COBY**  
**PRIMARY EXAMINER**